

4. The Plaintiff contends that Mr. Longmire's death was the result of gross negligence and/or a violation of 42 U.S.C. §1983 as a result of the defendants' conduct.

5. Without in any way admitting negligence or liability, and specifically denying the same, the Defendants have offered to pay to the Plaintiff the sum of One Hundred Thousand Dollars and No Cents (\$100,000.00) in full and final settlement of any and all claims against them on the part of the Plaintiff, the Estate of Dai'yaan Qamar Longmire and his beneficiaries as a result of the death of Dai'yaan Qamar Longmire, and the Plaintiff has agreed to accept such payment in full and final settlement and satisfaction of said claims.

6. That the decedent's statutory beneficiaries pursuant to § 8.01-53 of the Code of Virginia, 1950, as amended, are his mother, Tonya Longmire and his half-brothers, Drake J. Longmire-Knotts and Dario Knotts, who renounce their interest in any settlement.

7. The proceeds of the settlement will be distributed as follows:

A.	Eadie Hill Trial Lawyers (attorney fees)	\$ 0.00 (waived)
B.	Eadie Hill Trial Lawyers (attorney costs reimbursed)	\$ 56,834.19
C.	John Cole Gayle, Jr.	\$ 4,900.00
Distribution to Statutory Beneficiaries:		
D.	Tonya Longmire	\$ 38,265.81
E.	Dario Knotts	\$ 0.00
F.	Drake J. Longmire-Knotts	\$ 0.00
	Total	\$100,000.00

8. The Plaintiff and Defendants advise that said compromise is fair and reasonable to all parties in interest in view of the nature of the liability asserted, and the extent and nature of the claims involving the death of Dai'yaan Longmire.

9. That upon making the payment referenced in paragraph 5 above, the Defendants will be released from any and all liability and claims arising out of the death of Dai'yaan Longmire.

10. The settlement is fair and reasonable under all the circumstances.

11. Plaintiff has represented that there are no applicable liens in this matter.

12. All sums set forth in paragraphs 5 and 7 constitute damages on account of personal physical injuries and physical sickness, within the meaning of Section 104(a)(2) of the Internal Revenue Code of 1986, as amended. The entire payment is compensatory in nature to compensate Tonya Longmire for the loss of her son, there being no finding warranting punitive damages, and none of these funds are in any way deemed to relate to any punitive claim that was brought or could have been brought against Defendants.

Wherefore it is hereby ORDERED that the Petition for Approval of a Wrongful Death Settlement is Approved, that this matter is Dismissed with Prejudice, and the Clerk of the Court shall issue certified copies of this Order to all counsel forthwith.

ENTER this ____ day of _____, 2018.

JUDGE

I ASK FOR THIS:

/s/
Jeff W. Rosen, Esquire (VSB # 22689)
Jeffrey A. Hunn, Esquire (VSB # 45487)
Pender & Coward
222 Central Park Avenue
Virginia Beach, Virginia 23462
Phone: (757) 490-6253
Fax: (757) 497-1914
jrosen@pendercoward.com
Counsel for Smallwood and McCool

SEEN AND CONSENTED TO:

/s/

John Cole Gayle, Jr., Esq. (VSB #18833)
The Consumer Law Group
5905 West Broad Street, Suite 303
Richmond, VA 23230
Phone: (804) 282-7900
Fax: (804) 673-0317
jgayle@theconsumerlawgroup.com

Michael A. Hill, Esq. (Ohio State Bar #0088130)
William B. Eadie, Esq. (Ohio State Bar #0085627)
EADIE HILL TRIAL LAWYERS
3100 East 45th Street, Suite 218
Cleveland, Ohio 44127
Phone: (216) 777-8856
Fax: (216) 716-2507
michael.hill@eadiehill.com
william.eadie@eadiehill.com
Counsel for Plaintiff, Tonya Longmire

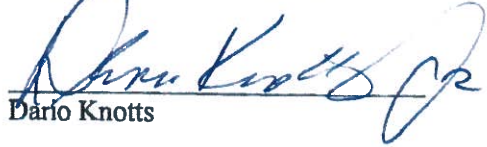
SEEN AND CONSENTED TO:

Tonya L. Longmire
Tonya Longmire, Administrator
Of the Estate of
Dai'yaan Qamar Longmire

Tonya L. Longmire
Tonya Longmire, Beneficiary

I hereby renounce any interest in the settlement in the matter of
Estate of Dai'yaan Longmire v. Virginia Department of Corrections, et al.
United States District Court, Civil Action No. 2:16cv653

SEEN AND CONSENTED TO:


Darío Knotts

I hereby renounce any interest in the settlement in the matter of
Estate of Dai'yaan Longmire v. Virginia Department of Corrections, et al.
United States District Court, Civil Action No. 2:16cv653

SEEN AND CONSENTED TO:



Drake J. Longmire-Knotts